

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/722,578	
	Filing Date	November 28, 2003	
	First Named Inventor	Todd A. Simpson	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission		Attorney Docket Number	9351-285

ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Acknowledgement postcard Cited foreign documents and publication Letter</b>		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BERESKIN & PARR, Ian C. McMillan, Registration No. 43,390
Signature	
Date	January 13, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
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January 13, 2004

Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.  
416 957 1644 imcmillan@bereskinparr.com

Your Reference: 10/722,578  
Our Reference: 9351-285



## INFORMATION DISCLOSURE STATEMENT

The Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia  
U.S.A 22313-1450

Dear Sir:

**Re: United States Patent Application No. 10/722,578**  
**Title: A FUEL CELL POWER SYSTEM AND METHOD**  
**OF OPERATING THE SAME**  
**Filed: November 28, 2003**  
**Applicants: Todd A. Simpson, Joseph Cargnelli and Stephen Burany**

In accordance with 37 CFR 1.56 and 1.97, subject to the waiver of the requirements of 37 CFR 1.98(a)(2)(i) provided by the United States Patent and Trademark Office Notice dated August 5, 2003, applicant hereby submits an Information Disclosure Statement including (1) a listing, on PTO form 1449, all patents and other publications of which the applicant is aware that may be considered material to the patentability of its claimed invention, and (2) a copy of the listed foreign patent documents and publications.

Please have these documents recorded against the above-mentioned application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ian C. McMillan".

Ian C. McMillan  
Registration No. 43,390

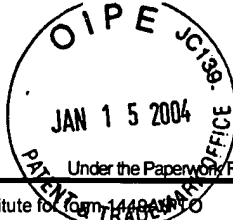
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*Please send all correspondence to the Toronto office:*

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Substitute for Form 1449A (Rev. 10-01-03)

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

### Complete if Known

Application Number	10/722,578
Filing Date	November 28, 2003
First Named Inventor	Todd A. Simpson
Art Unit	
Examiner Name	
Attorney Docket Number	9351-285

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US- 5,786,104	07-28-1998	Black et al.	
	2	US- 5,996,976	12-07-1999	Murphy et al.	
	3	US- 6,013,385	01-11-2000	DuBose	
	4	US- 6,117,577	09-12-2000	Wilson	
	5	US- 6,329,090	12-11-2001	McElroy et al.	
	6	US- 2001/0004500	06-21-2001	Grasso et al.	
	7	US- 2001/0012575	08-09-2001	Katagiri et al.	
	8	US- 2002/0006537	01-17-2002	Kobayashi et al.	
	9	US- 2002/0015867	02-07-2002	Cargnelli et al.	
	10	US- 2003/0031906	02-13-2003	Cargnelli et al.	
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### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
	11	WO 01/97311	12-20-2001	Hydrogenics Corporation		
	12	WO 02/11224	02-07-2002	Hydrogenics Corporation		
	13	JP58164165	09-29-1983	Kansai Electric Power Co Inc: The JGC Corp and Fuji Electric Co Ltd		
	14	JP62165872	07-22-1987	Hitachi Ltd		

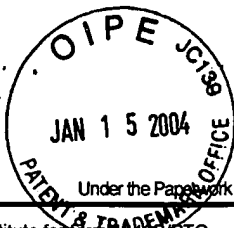
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 2 of 2

**Complete if Known**

Application Number	10/722,578
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First Named Inventor	Todd A. Simpson
Art Unit	
Examiner Name	
Attorney Docket Number	9351-285

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	15	STEPHEN GURSKI and DOUGLAS J. NELSON, Design and Integration Challenges For a Fuel Cell Hybrid Electric Sport Utility Vehicle, SAE 2002 World Congress, Detroit, Michigan, March 4-7, 2002	

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SignatureDate  
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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